

By: Deshotel

H.B. No. 1423

A BILL TO BE ENTITLED

AN ACT

1
2 relating to multiple public school graduation plans for student
3 success and economic competitiveness; creating an offense.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. (a) Section 4.002, Education Code, is amended to
6 read as follows:

7 Sec. 4.002. PUBLIC EDUCATION ACADEMIC GOALS. To serve as a
8 foundation for a well-balanced and appropriate education:

9 GOAL 1: The students in the public education system
10 will demonstrate exemplary performance in the reading and writing
11 of the English language.

12 GOAL 2: The students in the public education system
13 will demonstrate exemplary performance in the understanding and
14 application of mathematics.

15 GOAL 3: The students in the public education system
16 will demonstrate exemplary performance in the understanding and
17 application of science.

18 GOAL 4: The students in the public education system
19 will demonstrate exemplary performance in the understanding of
20 social studies.

21 (b) This section applies beginning with the 2014-2015
22 school year.

23 SECTION 2. (a) Section 7.062(e), Education Code, is amended
24 to read as follows:

1 (e) The rules must:

2 (1) limit the amount of assistance provided through a
3 grant to not more than:

4 (A) for a construction project, \$200 per square
5 foot of the science laboratory to be constructed; or

6 (B) for a renovation project, \$100 per square
7 foot of the science laboratory to be renovated;

8 (2) require a school district to demonstrate, as a
9 condition of eligibility for a grant, that the existing district
10 science laboratories are insufficient in number to comply with the
11 curriculum requirements imposed for the foundation [~~recommended~~
12 ~~and advanced~~] high school program [~~programs~~] under Section 28.025
13 [~~28.025(b-1)(1)~~]; and

14 (3) provide for ranking school districts that apply
15 for grants on the basis of wealth per student and giving priority in
16 the award of grants to districts with low wealth per student.

17 (b) This section applies beginning with the 2014-2015
18 school year.

19 SECTION 3. (a) Section 18.005(c), Education Code, is
20 amended to read as follows:

21 (c) A Job Corps diploma program shall:

22 (1) develop educational programs specifically
23 designed for persons eligible for enrollment in a Job Corps
24 training program established by the United States Department of
25 Labor;

26 (2) coordinate educational programs and services in
27 the diploma program with programs and services provided by the

1 United States Department of Labor and other federal and state
2 agencies and local political subdivisions and by persons who
3 provide programs and services under contract with the United States
4 Department of Labor;

5 (3) provide a course of instruction that includes the
6 required curriculum under Subchapter A, Chapter 28; and

7 ~~(4) [require that students enrolled in the diploma
8 program satisfy the requirements of Section 39.025 before receiving
9 a diploma under this chapter; and~~

10 ~~[(5)]~~ comply with a requirement imposed under this
11 title or a rule adopted under this title relating to the Public
12 Education Information Management System (PEIMS) to the extent
13 necessary to determine compliance with this chapter, as determined
14 by the commissioner.

15 (b) This section applies beginning with the 2013-2014
16 school year.

17 SECTION 4. (a) Section 18.006(b), Education Code, is
18 amended to read as follows:

19 (b) In addition to other factors determined to be
20 appropriate by the commissioner, the accountability system must
21 include consideration of:

22 (1) student performance on ~~[the end-of-course]~~
23 assessment instruments required by Section 39.023(c); and

24 (2) dropout rates, including dropout rates and diploma
25 program completion rates for the grade levels served by the diploma
26 program.

27 (b) This section applies beginning with the 2013-2014

1 school year.

2 SECTION 5. (a) Section 21.044, Education Code, as amended
3 by Chapters 635 (S.B. 866) and 926 (S.B. 1620), Acts of the 82nd
4 Legislature, Regular Session, 2011, is reenacted and amended to
5 read as follows:

6 Sec. 21.044. EDUCATOR PREPARATION. (a) The board shall
7 propose rules establishing the training requirements a person must
8 accomplish to obtain a certificate, enter an internship, or enter
9 an induction-year program. The board shall specify the minimum
10 academic qualifications required for a certificate.

11 (b) Any minimum academic qualifications for a certificate
12 specified under Subsection (a) that require a person to possess a
13 bachelor's degree must also require that the person receive, as
14 part of the curriculum for that degree, instruction in detection
15 and education of students with dyslexia. This subsection does not
16 apply to a person who obtains a certificate through an alternative
17 certification program adopted under Section 21.049.

18 (c) The instruction under Subsection (b) must:

19 (1) be developed by a panel of experts in the diagnosis
20 and treatment of dyslexia who are:

21 (A) employed by institutions of higher
22 education; and

23 (B) approved by the board; and

24 (2) include information on:

25 (A) characteristics of dyslexia;

26 (B) identification of dyslexia; and

27 (C) effective, multisensory strategies for

1 teaching students with dyslexia.

2 (d) [~~(b)~~] In proposing rules under this section, the board
3 shall specify that to obtain a certificate to teach an [~~u~~]applied
4 science, technology, engineering, or mathematics (STEM) course
5 offered as part of a school district's career and technology
6 education curriculum[~~, " as that term is defined by Section 28.027,~~]
7 at a secondary school, a person must:

8 (1) pass the certification test administered by the
9 recognized national or international business and industry group
10 that created the curriculum the applied science, technology,
11 engineering, or mathematics (STEM) course is based on; and

12 (2) have at a minimum:

13 (A) an associate degree from an accredited
14 institution of higher education; and

15 (B) three years of work experience in an
16 occupation for which the applied science, technology, engineering,
17 or mathematics (STEM) course is intended to prepare the student.

18 (b) This section applies beginning with the 2014-2015
19 school year.

20 SECTION 6. (a) Section 25.005(b), Education Code, is
21 amended to read as follows:

22 (b) A reciprocity agreement must:

23 (1) address procedures for:

24 (A) transferring student records;

25 (B) awarding credit for completed course work;

26 and

27 (C) permitting a student to satisfy the

1 requirements of Section 39.023(c) [~~39.025~~] through [~~successful~~
2 ~~performance on~~] comparable [~~end-of-course or other exit-level~~]
3 assessment instruments administered in another state; and

4 (2) include appropriate criteria developed by the
5 agency.

6 (b) This section applies beginning with the 2013-2014
7 school year.

8 SECTION 7. (a) Section 28.001, Education Code, is amended
9 to read as follows:

10 Sec. 28.001. PURPOSE. It is the intent of the legislature
11 that the essential knowledge and skills developed by the State
12 Board of Education under this subchapter shall require all students
13 to demonstrate and apply the knowledge and skills necessary to
14 read, write, compute, problem solve, think critically, apply
15 technology, and communicate across all subject areas. The
16 essential knowledge and skills shall also prepare and enable all
17 students to continue to learn in postsecondary educational,
18 training, or employment settings.

19 (b) This section applies beginning with the 2014-2015
20 school year.

21 SECTION 8. (a) Section 28.002(c), Education Code, is
22 amended to read as follows:

23 (c) The State Board of Education, with the direct
24 participation of educators, parents, business and industry
25 representatives, and employers shall by rule identify the essential
26 knowledge and skills of each subject of the required curriculum
27 that all students should be able to demonstrate and that will be

1 used in evaluating instructional materials under Chapter 31 [~~and~~
2 ~~addressed on the assessment instruments required under Subchapter~~
3 ~~B, Chapter 39~~]. As a condition of accreditation, the board shall
4 require each district to provide instruction in the essential
5 knowledge and skills at appropriate grade levels.

6 (b) This section applies beginning with the 2013-2014
7 school year.

8 SECTION 9. (a) Sections 28.002(a) and (n), Education Code,
9 are amended to read as follows:

10 (a) Each school district that offers kindergarten through
11 grade 12 shall offer, as a required curriculum:

12 (1) a foundation curriculum that includes:

13 (A) English language arts;

14 (B) mathematics, including applied mathematics;

15 (C) science, including applied sciences; and

16 (D) social studies, consisting of Texas, United
17 States, and world history, government, economics, with emphasis on
18 the free enterprise system and its benefits, and geography; and

19 (2) an enrichment curriculum that includes:

20 (A) to the extent possible, languages other than
21 English;

22 (B) health, with emphasis on the importance of
23 proper nutrition and exercise;

24 (C) physical education;

25 (D) fine arts;

26 (E) career and technology education;

27 (F) technology applications; and

1 (G) religious literature, including the Hebrew
2 Scriptures (Old Testament) and New Testament, and its impact on
3 history and literature.

4 (n) The State Board of Education may by rule develop and
5 implement a plan designed to incorporate career and technology
6 [~~foundation~~] curriculum requirements into the foundation [~~career~~
7 ~~and technology education~~] curriculum under Subsections (a)(1)(B)
8 and (C) [~~Subsection (a)(2)(E)~~].

9 (b) This section applies beginning with the 2014-2015
10 school year.

11 SECTION 10. (a) Section 28.003(b), Education Code, is
12 amended to read as follows:

13 (b) In this section, "educational program" means a course or
14 series of courses in the required curriculum under Section 28.002 [~~or~~
15 ~~other than a fine arts course under Section 28.002(a)(2)(D) or a~~
16 ~~career and technology course under Section 28.002(a)(2)(E)~~].

17 (b) This section applies beginning with the 2013-2014
18 school year.

19 SECTION 11. (a) The heading to Section 28.014, Education
20 Code, is amended to read as follows:

21 Sec. 28.014. COLLEGE AND WORKFORCE PREPARATORY COURSES.

22 (b) This section applies beginning with the 2013-2014
23 school year.

24 SECTION 12. (a) Section 28.014(a), Education Code, is
25 amended to read as follows:

26 (a) The commissioner of education, and [~~and~~] the commissioner
27 of higher education, and the executive director of the Texas

1 Workforce Commission shall [~~develop and~~] recommend to the State
2 Board of Education for adoption under Section 28.002 the essential
3 knowledge and skills of courses in college and workforce
4 preparatory mathematics, science, social studies, and English
5 language arts. The courses must be designed:

6 (1) for students [~~at the 12th grade level~~] who do not
7 meet college readiness standards on an [~~end-of-course~~] assessment
8 instrument required under Section 39.023(c); and

9 (2) to prepare students for success in a four-year or
10 two-year postsecondary higher education institution or
11 postsecondary technical school [~~entry-level college courses~~].

12 (b) This section applies beginning with the 2013-2014
13 school year.

14 SECTION 13. (a) Section 28.014(b), Education Code, is
15 amended to read as follows:

16 (b) A student who successfully completes a course developed
17 under this section may use the credit earned in the course toward
18 satisfying the applicable mathematics or science curriculum
19 requirement for the foundation [~~recommended or advanced~~] high
20 school program under Section 28.025.

21 (b) This section applies beginning with the 2014-2015
22 school year.

23 SECTION 14. (a) Section 28.0141(a), Education Code, is
24 amended to read as follows:

25 (a) The agency, in consultation with the Texas Higher
26 Education Coordinating Board, shall conduct a study of best
27 practices for and existing programs offering early assessments of

1 high school students in order to determine college readiness,
2 identify any deficiencies in college readiness, and provide
3 intervention to address any deficiencies before high school
4 graduation. In conducting the study, the agency, in consultation
5 with the coordinating board, shall review:

6 (1) various assessments, including [~~end-of-course~~
7 assessment instruments under Section 39.023(c) and[~~7~~] each
8 assessment currently used under Section 51.3062[~~7~~ and any
9 ~~assessment being proposed as a statewide model by the coordinating~~
10 ~~board under Section 51.3062(v)]], for identifying students who need
11 additional assistance in preparing for college;~~

12 (2) various early intervention models, including:

13 (A) summer bridge programs;

14 (B) college preparatory courses for credit
15 toward high school graduation;

16 (C) developmental education programs, including
17 college readiness programs under Section 39.234, and college study
18 skills courses; and

19 (D) dual credit courses;

20 (3) the costs associated with different assessments
21 and early intervention models; and

22 (4) the effectiveness of different assessments and
23 early intervention models in preparing students for college
24 coursework for which course credit may be earned.

25 (b) This section applies beginning with the 2013-2014
26 school year.

27 SECTION 15. (a) Sections 28.0211(b), (c), (d), (f), (i),

1 and (k), Education Code, are amended to read as follows:

2 (b) A school district shall provide to a student who
3 initially fails to perform satisfactorily on a fifth or eighth
4 grade ~~[an]~~ assessment instrument required ~~[specified]~~ under
5 Section 39.023 ~~[Subsection (a)]~~ at least two additional
6 opportunities to take the assessment instrument. ~~[A school~~
7 ~~district may administer an alternate assessment instrument to a~~
8 ~~student who has failed an assessment instrument specified under~~
9 ~~Subsection (a) on the previous two opportunities. Notwithstanding~~
10 ~~any other provision of this section, a student may be promoted if~~
11 ~~the student performs at grade level on an alternate assessment~~
12 ~~instrument under this subsection that is appropriate for the~~
13 ~~student's grade level and approved by the commissioner.]~~

14 (c) ~~[Each time a student fails to perform satisfactorily on~~
15 ~~an assessment instrument specified under Subsection (a), the school~~
16 ~~district in which the student attends school shall provide to the~~
17 ~~student accelerated instruction in the applicable subject area,~~
18 ~~including reading instruction for a student who fails to perform~~
19 ~~satisfactorily on a reading assessment instrument.]~~ After a
20 student fails to perform satisfactorily on an assessment instrument
21 specified under Subsection (b) a second time, a grade placement
22 committee shall be established to prescribe the accelerated
23 instruction the district shall provide to the student before the
24 student is administered the assessment instrument the third time.
25 The grade placement committee shall be composed of the principal or
26 the principal's designee, the student's parent or guardian, and the
27 teacher of the subject of an assessment instrument on which the

1 student failed to perform satisfactorily. The district shall
2 notify the parent or guardian of the time and place for convening
3 the grade placement committee and the purpose of the committee. An
4 accelerated instruction group administered by a school district
5 under this section may not have a ratio of more than 10 students for
6 each teacher.

7 (d) In addition to providing accelerated instruction to a
8 student under Subsection (c), the district shall notify the
9 student's parent or guardian of:

10 (1) the student's failure to perform satisfactorily on
11 the assessment instrument; and

12 (2) the accelerated instruction program to which the
13 student is assigned[~~, and~~

14 [~~(3) the possibility that the student might be~~
15 ~~retained at the same grade level for the next school year].~~

16 (f) A school district shall provide to a student who, after
17 three attempts, has failed to perform satisfactorily on an
18 assessment instrument specified under Subsection (b) [~~(a)~~]
19 accelerated instruction during the next school year as prescribed
20 by an educational plan developed for the student by the student's
21 grade placement committee established under Subsection (c). The
22 district shall provide that accelerated instruction regardless of
23 whether the student has been promoted or retained. The educational
24 plan must be designed to enable the student to perform at the
25 appropriate grade level by the conclusion of the school year.
26 During the school year, the student shall be monitored to ensure
27 that the student is progressing in accordance with the plan. The

1 district shall administer to the student the assessment instrument
2 for the grade level in which the student is placed at the time the
3 district regularly administers the assessment instruments for that
4 school year.

5 (i) The admission, review, and dismissal committee of a
6 student who participates in a district's special education program
7 under Subchapter B, Chapter 29, and who does not perform
8 satisfactorily on an assessment instrument specified under
9 Subsection (b) [~~(a)~~] and administered under Section 39.023(a) or
10 (b) shall determine[+]

11 [~~(1)~~] the manner in which the student will participate
12 in an accelerated instruction program under this section[+ ~~and~~

13 [~~(2) whether the student will be promoted or retained~~
14 ~~under this section~~].

15 (k) The commissioner shall adopt rules as necessary to
16 implement this section[~~, including rules concerning when school~~
17 ~~districts shall administer assessment instruments required under~~
18 ~~this section and which administration of the assessment instruments~~
19 ~~will be used for purposes of Section 39.054~~].

20 (b) This section applies beginning with the 2013-2014
21 school year.

22 SECTION 16. (a) The heading to Section 28.025, Education
23 Code, is amended to read as follows:

24 Sec. 28.025. HIGH SCHOOL DIPLOMA [~~AND CERTIFICATE~~];
25 ACADEMIC ACHIEVEMENT RECORD.

26 (b) This section applies beginning with the 2013-2014
27 school year.

1 SECTION 17. (a) Sections 28.025(c) and (e), Education
2 Code, are amended to read as follows:

3 (c) A person may receive a diploma if the person is eligible
4 for a diploma under Section 28.0251. In other cases, a student may
5 graduate and receive a diploma only if:

6 (1) the student successfully completes the curriculum
7 requirements identified by the State Board of Education under
8 Subsection (a) [~~and complies with Section 39.025~~]; or

9 (2) the student successfully completes an
10 individualized education program developed under Section 29.005.

11 (e) Each school district shall report the academic
12 achievement record of students who have completed a minimum,
13 recommended, or advanced high school program on transcript forms
14 adopted by the State Board of Education. The transcript forms
15 adopted by the board must be designed to clearly differentiate
16 between each of the high school programs [~~and identify whether a~~
17 ~~student received a diploma or a certificate of coursework~~
18 ~~completion~~].

19 (b) This section applies beginning with the 2013-2014
20 school year.

21 SECTION 18. (a) Effective September 1, 2014, Section
22 28.025(e), Education Code, is amended to read as follows:

23 (e) Each school district shall report the academic
24 achievement record of students who have completed the foundation [~~a~~
25 ~~minimum, recommended, or advanced~~] high school program on
26 transcript forms adopted by the State Board of Education. [~~The~~
27 ~~transcript forms adopted by the board must be designed to clearly~~

1 ~~differentiate between each of the high school programs and identify~~
2 ~~whether a student received a diploma or a certificate of coursework~~
3 ~~completion.]~~

4 (b) This section applies beginning with the 2014-2015
5 school year.

6 SECTION 19. (a) Section 28.025, Education Code, is amended
7 by amending Subsections (a), (b), (b-1), (b-2), (b-3), (b-7),
8 (b-9), (b-10), and (b-11) and adding Subsections (b-12), (c-1),
9 (c-2), (e-1), (h), and (h-1) to read as follows:

10 (a) The State Board of Education by rule shall determine
11 curriculum requirements for the foundation ~~[minimum, recommended,~~
12 ~~and advanced]~~ high school program ~~[programs]~~ that are consistent
13 with the required curriculum under Section 28.002. The ~~[Subject to~~
14 ~~Subsection (b-1), the]~~ State Board of Education shall designate the
15 specific courses in the foundation curriculum under Section
16 28.002(a)(1) required under ~~[for a student participating in]~~ the
17 foundation ~~[minimum, recommended, or advanced]~~ high school
18 program. Except as provided by Subsection (b-1), the State Board of
19 Education may not designate a specific course or a specific number
20 of credits in the enrichment curriculum as requirements for the
21 ~~[recommended]~~ program.

22 (b) A school district shall ensure that each student enrolls
23 in the courses necessary to complete the curriculum requirements
24 identified by the State Board of Education under Subsection (a) for
25 the foundation ~~[recommended or advanced]~~ high school program
26 ~~[unless the student, the student's parent or other person standing~~
27 ~~in parental relation to the student, and a school counselor or~~

1 ~~school administrator agree in writing signed by each party that the~~
2 ~~student should be permitted to take courses under the minimum high~~
3 ~~school program and the student:~~

4 ~~[(1) is at least 16 years of age;~~

5 ~~[(2) has completed two credits required for graduation~~
6 ~~in each subject of the foundation curriculum under Section~~
7 ~~28.002(a)(1); or~~

8 ~~[(3) has failed to be promoted to the tenth grade one~~
9 ~~or more times as determined by the school district].~~

10 (b-1) The State Board of Education by rule shall require
11 that [+

12 ~~[(1) except as provided by Subsection (b-2),]~~ the
13 curriculum requirements for the foundation ~~[recommended and~~
14 ~~advanced]~~ high school program ~~[programs]~~ under Subsection (a)
15 include a requirement that students successfully complete:

16 (1) [(A)] four credits in English language arts [each
17 ~~subject of the foundation curriculum]~~ under Section
18 28.002(a)(1)(A), including one credit in English I, one credit in
19 English II, one credit in English III, and one credit in an advanced
20 English course authorized under Subsection (b-3);

21 (2) three credits in mathematics under Section
22 28.002(a)(1)(B), including one credit in Algebra I, one credit in
23 geometry, and one credit in an accounting course or any advanced
24 mathematics course authorized under Subsection (b-3);

25 (3) two credits in science under Section
26 28.002(a)(1)(C), including one credit in biology and one credit in
27 integrated physics and chemistry or any advanced science course

1 authorized under Subsection (b-3);

2 (4) two credits in social studies under Section
3 28.002(a)(1)(D) [~~28.002(a)(1)~~], including one credit in United
4 States history, at least one-half credit in government, and at
5 least one-half credit in economics [~~to meet the social studies~~
6 ~~requirement~~];

7 (5) except as provided under Subsection (b-12)
8 [~~(B) for the recommended high school program~~], two credits in the
9 same language in a language other than English under Section
10 28.002(a)(2)(A) [~~and, for the advanced high school program, three~~
11 ~~credits in the same language in a language other than English under~~
12 ~~Section 28.002(a)(2)(A)~~]; [and]

13 (6) 10 [~~(C) for the recommended high school program,~~
14 ~~six~~] elective credits [~~and, for the advanced high school program,~~
15 ~~five elective credits~~];

16 (7) one-half credit in health under Section
17 28.002(a)(2)(B);

18 (8) one-half credit in speech;

19 (9) [(2) one or more credits offered in the required
20 curriculum for the recommended and advanced high school programs
21 include a research writing component, and

22 [~~(3) the curriculum requirements for the minimum,~~
23 ~~recommended, and advanced high school programs under Subsection (a)~~
24 ~~include a requirement that students successfully complete:~~

25 [~~(A)~~] one credit in fine arts under Section
26 28.002(a)(2)(D); and

27 (10) [(B)] except as provided by Subsection (b-11),

1 one credit in physical education under Section 28.002(a)(2)(C).

2 (b-2) In adopting rules under Subsection (b-1), the State
3 Board of Education shall provide for [~~allow~~] a student to comply
4 with the curriculum requirements for a mathematics or science
5 course under Subsection (b-1)(2) or (3) [~~(b-1)(1) taken after the~~
6 ~~successful completion of Algebra I and geometry and either after~~
7 ~~the successful completion of or concurrently with Algebra II or a~~
8 ~~science course under Subsection (b-1)(1) taken after the successful~~
9 ~~completion of biology and chemistry and either after the successful~~
10 ~~completion of or concurrently with physics] by successfully
11 completing a [~~an advanced~~] career and technical course designated
12 by the State Board of Education [~~as containing substantively~~
13 ~~similar and rigorous academic content. A student may use the option~~
14 ~~provided by this subsection for not more than two courses)].~~~~

15 (b-3) In adopting rules for purposes of Subsection (b-1) [~~to~~
16 ~~provide students with the option described by Subsection~~
17 ~~(b-1)(1)(A)], the State Board of Education must approve a variety
18 of advanced English, mathematics, and science courses that may be
19 taken [~~after the completion of Algebra II and physics]~~ to comply
20 with the foundation high school [~~recommended~~] program
21 requirements.~~

22 (b-7) The State Board of Education, in coordination with the
23 Texas Higher Education Coordinating Board, shall adopt rules to
24 ensure that a student may comply with the curriculum requirements
25 under the foundation [~~minimum, recommended, or advanced~~] high
26 school program for each subject of the foundation curriculum under
27 Section 28.002(a)(1) and for languages other than English under

1 Section 28.002(a)(2)(A) by successfully completing appropriate
2 courses in the core curriculum of an institution of higher
3 education under Section 61.822.

4 (b-9) A [~~The agency shall establish a pilot program allowing~~
5 ~~a] student may [attending school in a county with a population of~~
6 ~~more than one million and in which more than 75 percent of the~~
7 ~~population resides in a single municipality to]~~ satisfy the fine
8 arts credit required under Subsection (b-1)(9) [~~(b-1)(3)(A)]~~ by
9 participating in a fine arts program not provided by the school
10 district in which the student is enrolled. The fine arts program
11 may be provided on or off a school campus and outside the regular
12 school day. [~~Not later than December 1, 2010, the agency shall~~
13 ~~provide to the legislature a report regarding the pilot program,~~
14 ~~including the feasibility of expanding the pilot program~~
15 ~~statewide.]~~

16 (b-10) A school district[~~, with the approval of the~~
17 ~~commissioner,~~] may allow a student to comply with the curriculum
18 requirements for the physical education credit required under
19 Subsection (b-1)(10) [~~(b-1)(3)(B)]~~ by participating in a private or
20 commercially sponsored physical activity program provided on or off
21 a school campus and outside the regular school day.

22 (b-11) In adopting rules under Subsection (b-1), the State
23 Board of Education shall allow a student who is unable to
24 participate in physical activity due to disability or illness to
25 substitute one credit in English language arts, mathematics,
26 science, or social studies or one academic elective credit for the
27 physical education credit required under Subsection (b-1)(10)

1 ~~[(b-1)(3)(B)]~~. A credit allowed to be substituted under this
2 subsection may not also be used by the student to satisfy a
3 graduation requirement other than completion of the physical
4 education credit. The rules must provide that the determination
5 regarding a student's ability to participate in physical activity
6 will be made by:

7 (1) if the student receives special education services
8 under Subchapter A, Chapter 29, the student's admission, review,
9 and dismissal committee;

10 (2) if the student does not receive special education
11 services under Subchapter A, Chapter 29, but is covered by Section
12 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the
13 committee established for the student under that Act; or

14 (3) if each of the committees described by
15 Subdivisions (1) and (2) is inapplicable, a committee established
16 by the school district of persons with appropriate knowledge
17 regarding the student.

18 (b-12) In adopting rules under Subsection (b-1), the State
19 Board of Education shall adopt criteria to allow a student to comply
20 with the curriculum requirements for the two credits in a language
21 other than English required under Subsection (b-1)(5) by
22 substituting two credits in American Sign Language or two credits
23 in technology application languages.

24 (c-1) A student may earn an endorsement on the student's
25 diploma and transcript by successfully completing curriculum
26 requirements for that endorsement adopted by the State Board of
27 Education by rule. An endorsement under this subsection may be

1 earned in any of the following categories:

2 (1) science, technology, engineering, and mathematics
3 (STEM), which includes courses directly related to advanced
4 science, including environmental systems, technology, engineering,
5 and advanced mathematics;

6 (2) career, technical, and vocational skills
7 development, which includes courses directly related to database
8 management, information technology, communications, accounting,
9 finance, marketing, graphic design, architecture, construction,
10 welding, logistics, automotive technology, and heating,
11 ventilation, and air conditioning;

12 (3) humanities and fine arts, which includes courses
13 directly related to political science, world languages, cultural
14 studies, English literature, history, and fine arts;

15 (4) interdisciplinary studies, which allows a student
16 to select courses from the curriculum of each endorsement area
17 described by Subdivisions (1) through (3) and requires the student
18 to complete at least four courses within one of the endorsement
19 areas; and

20 (5) foundation studies, which requires a student to
21 complete at least four credits in each subject of the foundation
22 curriculum under Section 28.002(a)(1).

23 (c-2) To provide school counselors with information
24 necessary to support students and parents in choosing an
25 endorsement option under Subsection (c-1), the agency shall provide
26 counselors with information that identifies postsecondary
27 education and career opportunities, including information that

1 describes the benefits of four-year and two-year higher education,
2 postsecondary technical education, and skilled workforce careers
3 and career education programs. The agency shall collaborate with
4 the Texas Workforce Commission and the Texas Higher Education
5 Coordinating Board in using existing materials and developing
6 materials to be provided to counselors, students, and parents under
7 this subsection.

8 (e-1) A school district shall clearly indicate an
9 endorsement described by Subsection (c-1) on the diploma and
10 transcript of a student who satisfies the applicable requirements.
11 The State Board of Education shall adopt rules as necessary to
12 administer this subsection.

13 (h) The commissioner by rule shall adopt a transition plan
14 to implement and administer the amendments made by __. B. No. __,
15 83rd Legislature, Regular Session, 2013, replacing the minimum,
16 recommended, and advanced high school programs with the foundation
17 high school program beginning with the 2014-2015 school year.
18 Under the transition plan, a student who entered the ninth grade
19 before the 2014-2015 school year must be permitted to complete the
20 curriculum requirements required for high school graduation under:

21 (1) the foundation high school program, if the student
22 chooses during the 2014-2015 school year to take courses under this
23 program;

24 (2) the minimum high school program, as that program
25 existed before the adoption of __.B. No. __, 83rd Legislature,
26 Regular Session, 2013, if the student was participating in that
27 program before the 2014-2015 school year;

1 (3) the recommended high school program, as that
2 program existed before the adoption of __.B. No. __, 83rd
3 Legislature, Regular Session, 2013, if the student was
4 participating in that program before the 2014-2015 school year; or

5 (4) the advanced high school program, as that program
6 existed before the adoption of __.B. No. __, 83rd Legislature,
7 Regular Session, 2013, if the student was participating in that
8 program before the 2014-2015 school year.

9 (h-1) This subsection and Subsection (h) expire September
10 1, 2018.

11 (b) This section applies beginning with the 2014-2015
12 school year.

13 SECTION 20. (a) Section 28.0253(e), Education Code, is
14 amended to read as follows:

15 (e) A student who receives a high school diploma through the
16 pilot program is considered to have completed the foundation
17 ~~[recommended]~~ high school program adopted under Section 28.025
18 ~~[28.025(a)]~~. The student is not guaranteed admission to any
19 institution of higher education or to any academic program at an
20 institution of higher education solely on the basis of having
21 received the diploma through the program.

22 (b) This section applies beginning with the 2014-2015
23 school year.

24 SECTION 21. (a) Section 29.081(b), Education Code, is
25 amended to read as follows:

26 (b) Each district shall provide accelerated instruction to
27 a student enrolled in the district who has taken an ~~[end-of-course]~~

1 assessment instrument administered under Section 39.023(c) and has
2 not performed satisfactorily on the assessment instrument or who is
3 at risk of dropping out of school.

4 (b) This section applies beginning with the 2013-2014
5 school year.

6 SECTION 22. (a) Section 29.087(f), Education Code, is
7 amended to read as follows:

8 (f) A student participating in a program authorized by this
9 section, other than a student ordered to participate under
10 Subsection (d)(1), must have taken any ~~[the]~~ appropriate
11 ~~[end-of-course]~~ assessment instruments required under ~~[specified~~
12 ~~by]~~ Section 39.023(c) before entering the program and must take any
13 ~~[each]~~ appropriate ~~[end-of-course]~~ assessment instrument
14 administered during the period in which the student is enrolled in
15 the program. ~~[Except for a student ordered to participate under~~
16 ~~Subsection (d)(1), a student participating in the program may not~~
17 ~~take the high school equivalency examination unless the student has~~
18 ~~taken the assessment instruments required by this subsection.]~~

19 (b) This section applies beginning with the 2013-2014
20 school year.

21 SECTION 23. (a) Section 29.096(e), Education Code, is
22 amended to read as follows:

23 (e) The commissioner shall establish minimum standards for
24 a local collaborative agreement, including a requirement that the
25 agreement must be signed by an authorized school district or
26 open-enrollment charter school officer and an authorized
27 representative of each of the other participating entities that is

1 a partner in the collaboration. The program must:

2 (1) limit participation in the program to students
3 authorized to participate by a parent or other person standing in
4 parental relationship;

5 (2) have as a primary goal graduation from high school
6 ~~[under at least the recommended high school program];~~

7 (3) provide for local businesses or other employers to
8 offer paid employment or internship opportunities and advanced
9 career and vocational training;

10 (4) include an outreach component and a lead
11 educational staff member to identify and involve eligible students
12 and public and private entities in participating in the program;

13 (5) serve a population of students of which at least 50
14 percent are identified as students at risk of dropping out of
15 school, as described by Section 29.081(d);

16 (6) allocate not more than 15 percent of grant funds
17 and matching funds, as determined by the commissioner, to
18 administrative expenses;

19 (7) include matching funds from any of the
20 participating entities; and

21 (8) include any other requirements as determined by
22 the council.

23 (b) This section applies beginning with the 2014-2015
24 school year.

25 SECTION 24. (a) Section 29.402(b), Education Code, is
26 amended to read as follows:

27 (b) A person who is under 26 years of age is eligible to

1 enroll in a dropout recovery program under this subchapter if the
2 person:

3 (1) must complete not more than three course credits
4 to complete the curriculum requirements for the minimum,
5 recommended, or advanced high school program, as appropriate, for
6 high school graduation; or

7 (2) has failed to perform satisfactorily on an
8 end-of-course assessment instrument administered under Section
9 39.023(c) as that section existed before amendment by __. B. No. __,
10 83rd Legislature, Regular Session, 2013, or an assessment
11 instrument administered under Section 39.023(c) as that section
12 existed before amendment by Chapter 1312 (S.B. 1031), Acts of the
13 80th Legislature, Regular Session, 2007.

14 (b) This section applies beginning with the 2013-2014
15 school year.

16 SECTION 25. (a) Effective September 1, 2014, Section
17 29.402(b), Education Code, is amended to read as follows:

18 (b) A person who is under 26 years of age is eligible to
19 enroll in a dropout recovery program under this subchapter if the
20 person:

21 (1) must complete not more than three course credits
22 to complete the curriculum requirements for the foundation
23 [~~minimum, recommended, or advanced~~] high school program[~~, as~~
24 ~~appropriate,~~] for high school graduation; or

25 (2) has failed to perform satisfactorily on an
26 end-of-course assessment instrument administered under Section
27 39.023(c) as that section existed before amendment by __. B. No. __,

1 83rd Legislature, Regular Session, 2013, or an assessment
2 instrument administered under Section 39.023(c) as that section
3 existed before amendment by Chapter 1312 (S.B. 1031), Acts of the
4 80th Legislature, Regular Session, 2007.

5 (b) This section applies beginning with the 2014-2015
6 school year.

7 SECTION 26. (a) Section 29.904(d), Education Code, is
8 amended to read as follows:

9 (d) A plan developed under this section:

10 (1) must establish clear, achievable goals for
11 increasing the percentage of the school district's graduating
12 seniors, particularly the graduating seniors attending a high
13 school described by Subsection (a), who enroll in an institution of
14 higher education for the academic year following graduation;

15 (2) must establish an accurate method of measuring
16 progress toward the goals established under Subdivision (1) that
17 may include the percentage of district high school students and the
18 percentage of students attending a district high school described
19 by Subsection (a) who:

20 (A) are enrolled in a course for which a student
21 may earn college credit, such as an advanced placement or
22 international baccalaureate course or a course offered through
23 concurrent enrollment in high school and at an institution of
24 higher education;

25 (B) are enrolled in courses that meet the
26 curriculum requirements for the foundation [~~recommended or~~
27 ~~advanced~~] high school program as determined under Section 28.025;

1 (C) have submitted a free application for federal
2 student aid (FAFSA);

3 (D) are exempt under Section 51.3062(p) or (q)
4 from administration of an assessment instrument under Section
5 51.3062 or have performed successfully on an assessment instrument
6 under Section 51.3062;

7 (E) graduate from high school;

8 (F) graduate from an institution of higher
9 education; and

10 (G) have taken college entrance examinations and
11 the average score of those students on the examinations;

12 (3) must cover a period of at least five years; and

13 (4) may be directed at district students at any level
14 of primary or secondary education.

15 (b) This section applies beginning with the 2014-2015
16 school year.

17 SECTION 27. (a) Section 30.021(e), Education Code, is
18 amended to read as follows:

19 (e) The school shall cooperate with public and private
20 agencies and organizations serving students and other persons with
21 visual impairments in the planning, development, and
22 implementation of effective educational and rehabilitative service
23 delivery systems associated with educating students with visual
24 impairments. To maximize and make efficient use of state
25 facilities, funding, and resources, the services provided in this
26 area may include conducting a cooperative program with other
27 agencies to serve students who have graduated from high school by

1 completing all academic requirements applicable to students in
2 regular education[~~, excluding satisfactory performance under~~
3 ~~Section 39.025,~~] who are younger than 22 years of age on September 1
4 of the school year and who have identified needs related to
5 vocational training, independent living skills, orientation and
6 mobility, social and leisure skills, compensatory skills, or
7 remedial academic skills.

8 (b) This section applies beginning with the 2013-2014
9 school year.

10 SECTION 28. (a) Section 30.104(b), Education Code, is
11 amended to read as follows:

12 (b) A student may graduate and receive a diploma from a
13 Texas Youth Commission educational program if:

14 (1) the student successfully completes the curriculum
15 requirements identified by the State Board of Education under
16 Section 28.025(a) [~~and complies with Section 39.025~~]; or

17 (2) the student successfully completes the curriculum
18 requirements under Section 28.025(a) as modified by an
19 individualized education program developed under Section 29.005.

20 (b) This section applies beginning with the 2013-2014
21 school year.

22 SECTION 29. (a) Section 31.0211(d-1), Education Code, is
23 amended to read as follows:

24 (d-1) Notwithstanding Subsection (d), for the state fiscal
25 biennium beginning September 1, 2011, a school district shall use
26 an allotment received under this section to purchase instructional
27 materials that will assist the district in providing instruction

1 for [~~satisfying performance standards under Section 39.0241, as~~
2 ~~added by Chapter 895 (H.B. 3), Acts of the 81st Legislature, Regular~~
3 ~~Session, 2009, on]~~ assessment instruments adopted under Sections
4 39.023(a) and (c).

5 (b) This section applies beginning with the 2013-2014
6 school year.

7 SECTION 30. (a) Section 33.007(b), Education Code, is
8 amended to read as follows:

9 (b) During the first school year a student is enrolled in a
10 high school or at the high school level in an open-enrollment
11 charter school, and again during a student's senior year, a
12 counselor shall provide information about higher education to the
13 student and the student's parent or guardian. The information must
14 include information regarding:

15 (1) the importance of higher education;

16 (2) [~~the advantages of completing the recommended or~~
17 ~~advanced high school program adopted under Section 28.025(a),~~

18 [~~3~~] the disadvantages of taking courses to prepare
19 for a high school equivalency examination relative to the benefits
20 of taking courses leading to a high school diploma;

21 (3) [~~4~~] financial aid eligibility;

22 (4) [~~5~~] instruction on how to apply for federal
23 financial aid;

24 (5) [~~6~~] the center for financial aid information
25 established under Section 61.0776;

26 (6) [~~7~~] the automatic admission of certain students
27 to general academic teaching institutions as provided by Section

1 51.803;

2 (7) [~~(8)~~] the eligibility and academic performance
3 requirements for the TEXAS Grant as provided by Subchapter M,
4 Chapter 56; and

5 (8) [~~(9)~~] the availability of programs in the district
6 under which a student may earn college credit, including advanced
7 placement programs, dual credit programs, joint high school and
8 college credit programs, and international baccalaureate programs.

9 (b) This section applies beginning with the 2014-2015
10 school year.

11 SECTION 31. (a) Section 39.022, Education Code, is amended
12 to read as follows:

13 Sec. 39.022. ASSESSMENT PROGRAM. The State Board of
14 Education by rule shall adopt [~~create~~] and implement a statewide
15 assessment program that is knowledge- and skills-based to ensure
16 school accountability for student achievement that achieves the
17 public education mission and objectives established in [~~goals~~
18 ~~provided under~~] Section 4.001 [~~4.002~~]. After adopting rules under
19 this section, the State Board of Education shall consider the
20 importance of maintaining stability in the statewide assessment
21 program when adopting any subsequent modification of the rules.

22 (b) This section applies beginning with the 2013-2014
23 school year.

24 SECTION 32. (a) Sections 39.023(a), (a-1), (a-2), (b),
25 (c), (c-1), (c-4), (c-5), (c-6), (e), (i), and (n), Education Code,
26 are amended to read as follows:

27 (a) The agency shall adopt [~~or develop~~] appropriate

1 nationally recognized, norm-referenced [~~critierion-referenced~~]
 2 assessment instruments designed to assess essential knowledge and
 3 skills in reading, [~~writing,~~] mathematics, [~~social studies,~~] and
 4 science. Except as provided by Subsection (a-2), all students in
 5 grades below grade nine, other than students assessed under
 6 Subsection (b) or (1) or exempted under Section 39.027, shall be
 7 assessed in subjects and grades [+

8 [~~(1) mathematics, annually in grades three through~~
 9 ~~seven without the aid of technology and in grade eight with the aid~~
 10 ~~of technology on any assessment instrument that includes algebra,~~

11 [~~(2) reading, annually in grades three through eight,~~

12 [~~(3) writing, including spelling and grammar, in~~
 13 ~~grades four and seven,~~

14 [~~(4) social studies, in grade eight,~~

15 [~~(5) science, in grades five and eight, and~~

16 [~~(6) any other subject and grade~~] required by federal
 17 law.

18 (a-1) The agency shall adopt [~~develop~~] assessment
 19 instruments required under Subsections [~~Subsection~~] (a) and (c) in
 20 a manner that allows, to the extent practicable:

21 (1) the score a student receives to provide reliable
 22 information relating to a student's satisfactory performance for
 23 each performance standard under Section 39.0241; and

24 (2) an appropriate range of performances to serve as a
 25 valid indication of growth in student achievement.

26 (a-2) A student is not required to be assessed in a subject
 27 otherwise assessed at the student's grade level under Subsection

1 (a) if the student:

2 (1) is enrolled in a course in the subject intended for
3 students above the student's grade level and will be administered
4 an assessment instrument adopted [~~or developed~~] under Subsection
5 (a) [~~that aligns with the curriculum for the course in which the~~
6 ~~student is enrolled~~]; or

7 (2) is enrolled in a course in the subject for which
8 the student will receive high school academic credit and will be
9 administered an [~~end-of-course~~] assessment instrument adopted
10 under Subsection (c) [~~for the course~~].

11 (b) The agency shall develop or adopt appropriate
12 [~~criterion-referenced~~] alternative assessment instruments to be
13 administered to each student in a special education program under
14 Subchapter A, Chapter 29, for whom an assessment instrument adopted
15 under Subsection (a), even with allowable accommodations, would not
16 provide an appropriate measure of student achievement, as
17 determined by the student's admission, review, and dismissal
18 committee.

19 (c) The agency shall also adopt nationally recognized,
20 norm-referenced [~~end-of-course~~] assessment instruments as
21 described by Subsection (a) for assessing secondary-level
22 students. All students in grades 9 through 12, other than students
23 exempted under Section 39.027, shall be assessed in subjects and
24 grades required by federal law [~~courses in Algebra I, Algebra II,~~
25 ~~geometry, biology, chemistry, physics, English I, English II,~~
26 ~~English III, world geography, world history, and United States~~
27 ~~history. The Algebra I, Algebra II, and geometry end-of-course~~

1 ~~assessment instruments must be administered with the aid of~~
2 ~~technology].~~ A school district shall comply with State Board of
3 Education rules regarding administration of the assessment
4 instruments [~~listed in this subsection and shall adopt a policy~~
5 ~~that requires a student's performance on an end-of-course~~
6 ~~assessment instrument for a course listed in this subsection in~~
7 ~~which the student is enrolled to account for 15 percent of the~~
8 ~~student's final grade for the course. If a student retakes an~~
9 ~~end-of-course assessment instrument for a course listed in this~~
10 ~~subsection, as provided by Section 39.025, a school district is not~~
11 ~~required to use the student's performance on the subsequent~~
12 ~~administration or administrations of the assessment instrument to~~
13 ~~determine the student's final grade for the course]. If a student~~
14 is in a special education program under Subchapter A, Chapter 29,
15 the student's admission, review, and dismissal committee shall
16 determine whether any allowable modification is necessary in
17 administering to the student an assessment instrument required
18 under this subsection. The State Board of Education shall
19 administer the assessment instruments. [~~The State Board of~~
20 ~~Education shall adopt a schedule for the administration of~~
21 ~~end-of-course assessment instruments that complies with the~~
22 ~~requirements of Subsection (c-3).]~~

23 (c-1) The agency shall implement [~~develop~~] any assessment
24 instrument required under this section in a manner that allows for
25 the measurement of annual improvement in student achievement as
26 required by Sections 39.034(c) and (d).

27 (c-4) To the extent practicable and subject to Section

1 39.024, the agency shall ensure that each [~~end-of-course~~]
2 assessment instrument adopted under Subsection (c) [~~is~~]:

3 (1) [~~developed in a manner that~~] measures a student's
4 performance under the college readiness standards established
5 under Section 28.008; and

6 (2) is validated by national postsecondary education
7 experts for college and workforce readiness alignment that is
8 appropriate for each subject being assessed [~~content and~~
9 ~~performance standards~~].

10 (c-5) A student's performance on an [~~end-of-course~~]
11 assessment instrument required under this subchapter [~~Subsection~~
12 ~~(c)~~] must be included in the student's academic achievement record.

13 (c-6) In adopting an [~~end-of-course~~] assessment instrument
14 under Subsection (c) [~~this section~~], the agency shall adopt and
15 [~~consider the use of an existing assessment instrument that is~~
16 ~~currently available. The agency may~~] use [~~an~~] existing nationally
17 recognized, norm-referenced assessment instruments commonly used
18 to determine student eligibility for postsecondary institution
19 admission to [~~instrument that is currently available only if the~~
20 ~~assessment instrument~~]:

21 (1) assess college and workforce readiness [~~is aligned~~
22 ~~with the essential knowledge and skills of the subject being~~
23 ~~assessed~~]; [~~and~~]

24 (2) measure [~~allows for the measurement of~~] annual
25 improvement in student achievement as provided by Subsection (c-1);
26 and

27 (3) satisfy federal student testing requirements.

1 (e) Under rules adopted by the State Board of Education,
2 every third year, the agency shall release the questions and answer
3 keys to each assessment instrument administered under Subsection
4 (a), (b), [~~(c), (d),~~] or (1) [~~, excluding any assessment instrument~~
5 ~~administered to a student for the purpose of retaking the~~
6 ~~assessment instrument,~~] after the last time the instrument is
7 administered for that school year. To ensure a valid bank of
8 questions for use each year, the agency is not required to release a
9 question that is being field-tested and was not used to compute the
10 student's score on the instrument. The agency shall also release,
11 under board rule, each question that is no longer being
12 field-tested and that was not used to compute a student's score.

13 (i) The provisions of this section [~~, except Subsection~~
14 ~~(d),~~] are subject to modification by rules adopted under Section
15 39.022. Each assessment instrument adopted under those rules [~~and~~
16 ~~each assessment instrument required under Subsection (d)~~] must be
17 reliable and valid and must meet any applicable federal
18 requirements for measurement of student progress.

19 (n) This subsection applies only to a student who is
20 determined to have dyslexia or a related disorder and who is an
21 individual with a disability under 29 U.S.C. Section 705(20) and
22 its subsequent amendments. The agency shall adopt [~~or develop~~]
23 appropriate [~~criterion-referenced~~] assessment instruments
24 designed to assess the ability of and to be administered to each
25 student to whom this subsection applies for whom the assessment
26 instruments adopted under Subsection (a), even with allowable
27 modifications, would not provide an appropriate measure of student

1 achievement, as determined by the committee established by the
2 board of trustees of the district to determine the placement of
3 students with dyslexia or related disorders. The committee shall
4 determine whether any allowable modification is necessary in
5 administering to a student an assessment instrument required under
6 this subsection. The assessment instruments required under this
7 subsection shall be administered on the same schedule as the
8 assessment instruments administered under Subsection (a).

9 (b) This section applies beginning with the 2013-2014
10 school year.

11 SECTION 33. (a) The heading to Section 39.025, Education
12 Code, is amended to read as follows:

13 Sec. 39.025. USE OF ASSESSMENT INSTRUMENT
14 [~~SECONDARY-LEVEL~~ PERFORMANCE [~~REQUIRED~~].

15 (b) This section applies beginning with the 2013-2014
16 school year.

17 SECTION 34. (a) Section 39.025(a), Education Code, is
18 amended to read as follows:

19 (a) A norm-referenced assessment instrument administered
20 under Section 39.023 may not be used by the agency, a school
21 district, or a school as an indicator of student achievement for a
22 purpose that would result in a sanction as to a student, including
23 using an assessment instrument as a condition for promotion from
24 one grade to the next or as a condition for graduation. [~~The~~
25 ~~commissioner shall adopt rules requiring a student participating in~~
26 ~~the recommended or advanced high school program to be administered~~
27 ~~each end-of-course assessment instrument listed in Section~~

1 ~~39.023(c) and requiring a student participating in the minimum high~~
2 ~~school program to be administered an end-of-course assessment~~
3 ~~instrument listed in Section 39.023(c) only for a course in which~~
4 ~~the student is enrolled and for which an end-of-course assessment~~
5 ~~instrument is administered. A student is required to achieve, in~~
6 ~~each subject in the foundation curriculum under Section~~
7 ~~28.002(a)(1), a cumulative score that is at least equal to the~~
8 ~~product of the number of end-of-course assessment instruments~~
9 ~~administered to the student in that subject and a scale score that~~
10 ~~indicates satisfactory performance, as determined by the~~
11 ~~commissioner under Section 39.0241(a). A student must achieve a~~
12 ~~minimum score as determined by the commissioner to be within a~~
13 ~~reasonable range of the scale score under Section 39.0241(a) on an~~
14 ~~end-of-course assessment instrument for the score to count towards~~
15 ~~the student's cumulative score. For purposes of this subsection, a~~
16 ~~student's cumulative score is determined using the student's~~
17 ~~highest score on each end-of-course assessment instrument~~
18 ~~administered to the student. A student may not receive a high~~
19 ~~school diploma until the student has performed satisfactorily on~~
20 ~~the end-of-course assessment instruments in the manner provided~~
21 ~~under this subsection. This subsection does not require a student~~
22 ~~to demonstrate readiness to enroll in an institution of higher~~
23 ~~education.]~~

24 (b) This section applies beginning with the 2013-2014
25 school year.

26 SECTION 35. (a) Section 39.026, Education Code, is amended
27 to read as follows:

1 Sec. 39.026. LOCAL OPTION. In addition to the assessment
2 instruments adopted by the agency and administered by the State
3 Board of Education, a school district may adopt and administer
4 criterion-referenced or norm-referenced assessment instruments, or
5 both, at any grade level. [~~A norm-referenced assessment instrument~~
6 ~~adopted under this section must be economical, nationally~~
7 ~~recognized, and state-approved.~~]

8 (b) This section applies beginning with the 2013-2014
9 school year.

10 SECTION 36. (a) Section 39.028, Education Code, is amended
11 to read as follows:

12 Sec. 39.028. COMPARISON OF STATE RESULTS TO NATIONAL
13 RESULTS. The state assessment program shall obtain nationally
14 comparative results for the subject areas and grade levels for
15 which [~~criterion-referenced~~] assessment instruments are adopted
16 under Section 39.023.

17 (b) This section applies beginning with the 2013-2014
18 school year.

19 SECTION 37. (a) Section 39.034(d), Education Code, is
20 amended to read as follows:

21 (d) To the extent practicable, the [~~The~~] agency shall
22 determine the necessary annual improvement required each year for a
23 student to be prepared to perform satisfactorily on, as applicable:

- 24 (1) the grade five assessment instruments;
25 (2) the grade eight assessment instruments; and
26 (3) the [~~end-of-course~~] assessment instruments to be
27 administered to high school students [~~required~~] under this

1 subchapter [~~for graduation~~].

2 (b) This section applies beginning with the 2013-2014
3 school year.

4 SECTION 38. (a) Subchapter B, Chapter 39, Education Code,
5 is amended by adding Section 39.038 to read as follows:

6 Sec. 39.038. PROHIBITION ON POLITICAL CONTRIBUTION OR
7 ACTIVITY BY CERTAIN CONTRACTORS. (a) A person who is an agent of an
8 entity that has been contracted to develop or implement assessment
9 instruments required under Section 39.023 commits an offense if the
10 person makes or authorizes a political contribution to or takes
11 part in, directly or indirectly, the campaign of any person seeking
12 election to or serving on the State Board of Education.

13 (b) A person who is an agent of an entity that has been
14 contracted to develop or implement assessment instruments required
15 under Section 39.023 commits an offense if the person serves as a
16 member of a formal or informal advisory committee established by
17 the commissioner, agency staff, or the State Board of Education to
18 advise the commissioner, agency staff, or the State Board of
19 Education regarding policies or implementation of the requirements
20 of this subchapter.

21 (c) An offense under this section is a Class B misdemeanor.

22 (b) This section applies September 1, 2013.

23 SECTION 39. (a) Section 39.053(c), Education Code, is
24 amended to read as follows:

25 (c) Indicators of student achievement adopted under this
26 section must include:

27 (1) the results of assessment instruments required

1 under Sections 39.023(a), (c), and (1), [~~including the results of~~
2 ~~assessment instruments required for graduation retaken by a~~
3 ~~student,~~] aggregated across grade levels by subject area,
4 including:

5 (A) for the performance standard determined by
6 the commissioner under Section 39.0241(a):

7 (i) the percentage of students who
8 performed satisfactorily on the assessment instruments, aggregated
9 across grade levels by subject area; and

10 (ii) for students who did not perform
11 satisfactorily, the percentage of students who met the standard for
12 annual improvement, as determined by the agency under Section
13 39.034, on the assessment instruments, aggregated across grade
14 levels by subject area; and

15 (B) for the college readiness performance
16 standard as determined under Section 39.0241:

17 (i) the percentage of students who
18 performed satisfactorily on the assessment instruments, aggregated
19 across grade levels by subject area; and

20 (ii) for students who did not perform
21 satisfactorily, the percentage of students who met the standard for
22 annual improvement, as determined by the agency under Section
23 39.034, on the assessment instruments, aggregated across grade
24 levels by subject area;

25 (2) dropout rates, including dropout rates and
26 district completion rates for grade levels 9 through 12, computed
27 in accordance with standards and definitions adopted by the

1 National Center for Education Statistics of the United States
2 Department of Education; and

3 (3) high school graduation rates, computed in
4 accordance with standards and definitions adopted in compliance
5 with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et
6 seq.).

7 (b) This section applies beginning with the 2013-2014
8 school year.

9 SECTION 40. (a) Section 39.053(f), Education Code, is
10 amended to read as follows:

11 (f) Annually, the commissioner shall define the state
12 standard for the current school year for each student achievement
13 indicator described by Subsection (c) and shall project the state
14 standards for each indicator for the following two school years.
15 The commissioner shall periodically raise the state standards for
16 the student achievement indicator described by Subsection
17 (c)(1)(B)(i) for accreditation as necessary to reach the goals of
18 achieving, by not later than the 2019-2020 school year:

19 (1) student performance in this state, disaggregated
20 by race, ethnicity, and socioeconomic status, that ranks nationally
21 in the top 10 states in terms of college readiness; and

22 (2) student performance, [~~including the percentage of~~
23 ~~students graduating under the recommended or advanced high school~~
24 ~~program,~~] with no significant achievement gaps by race, ethnicity,
25 and socioeconomic status.

26 (b) This section applies beginning with the 2014-2015
27 school year.

1 SECTION 41. (a) Section 39.057(a), Education Code, is
2 amended to read as follows:

3 (a) The commissioner shall authorize special accreditation
4 investigations to be conducted:

5 (1) when excessive numbers of absences of students
6 eligible to be tested on state assessment instruments are
7 determined;

8 (2) when excessive numbers of allowable exemptions
9 from the required state assessment instruments are determined;

10 (3) in response to complaints submitted to the agency
11 with respect to alleged violations of civil rights or other
12 requirements imposed on the state by federal law or court order;

13 (4) in response to established compliance reviews of
14 the district's financial accounting practices and state and federal
15 program requirements;

16 (5) when extraordinary numbers of student placements
17 in disciplinary alternative education programs, other than
18 placements under Sections 37.006 and 37.007, are determined;

19 (6) in response to an allegation involving a conflict
20 between members of the board of trustees or between the board and
21 the district administration if it appears that the conflict
22 involves a violation of a role or duty of the board members or the
23 administration clearly defined by this code;

24 (7) when excessive numbers of students in special
25 education programs under Subchapter A, Chapter 29, are assessed
26 through assessment instruments developed or adopted under Section
27 39.023(b);

1 (8) in response to an allegation regarding or an
2 analysis using a statistical method result indicating a possible
3 violation of an assessment instrument security procedure
4 established under Section 39.0301, including for the purpose of
5 investigating or auditing a school district under that section;

6 (9) [~~when a significant pattern of decreased academic~~
7 ~~performance has developed as a result of the promotion in the~~
8 ~~preceding two school years of students who did not perform~~
9 ~~satisfactorily as determined by the commissioner under Section~~
10 ~~39.0241(a) on assessment instruments administered under Section~~
11 ~~39.023(a), (c), or (1)~~;

12 [~~(10) when excessive numbers of students graduate~~
13 ~~under the minimum high school program~~;

14 [~~(11)~~] when excessive numbers of students eligible to
15 enroll fail to complete an advanced mathematics [~~Algebra II~~] course
16 or any other advanced course determined by the commissioner [~~as~~
17 ~~distinguishing between students participating in the recommended~~
18 ~~high school program from students participating in the minimum high~~
19 ~~school program~~];

20 (10) [~~(12)~~] when resource allocation practices as
21 evaluated under Section 39.0821 indicate a potential for
22 significant improvement in resource allocation; or

23 (11) [~~(13)~~] as the commissioner otherwise determines
24 necessary.

25 (b) This section applies beginning with the 2014-2015
26 school year.

27 SECTION 42. (a) Section 39.203(d), Education Code, is

1 amended to read as follows:

2 (d) In addition to the distinction designations otherwise
3 described by this section, the commissioner may award a distinction
4 designation to a campus with a significant number of students below
5 grade nine who perform satisfactorily on an ~~[end-of-course]~~
6 assessment instrument administered under Section 39.023(c).

7 (b) This section applies beginning with the 2013-2014
8 school year.

9 SECTION 43. (a) Section 39.234(a), Education Code, is
10 amended to read as follows:

11 (a) Except as provided by Subsection (b), a school district
12 or campus must use funds allocated under Section 42.160 to:

13 (1) implement or administer a college and workforce
14 readiness program that provides academic support and instruction to
15 prepare underachieving students for entrance into an institution of
16 four-year, two-year, or technical postsecondary ~~[higher]~~
17 education;

18 (2) implement or administer a program that encourages
19 students to pursue advanced academic opportunities, including
20 rigorous career and technology education programs, early college
21 high school programs and dual credit, advanced placement, and
22 international baccalaureate courses;

23 (3) implement or administer a program that provides
24 opportunities for students to take academically rigorous course
25 work, including four years of mathematics and four years of science
26 at the high school level;

27 (4) implement or administer a program, including

1 online course support and professional development, that aligns the
2 curriculum for grades six through 12 with postsecondary curriculum
3 and expectations; or

4 (5) implement or administer science, technology,
5 engineering, and mathematics (STEM) initiatives and other high
6 school completion and success initiatives in grades six through 12
7 approved by the commissioner.

8 (b) This section applies beginning with the 2013-2014
9 school year.

10 SECTION 44. (a) Section 39.301(c), Education Code, is
11 amended to read as follows:

12 (c) Indicators for reporting purposes must include:

13 (1) the percentage of graduating students who meet the
14 course requirements established by State Board of Education rule
15 for the minimum high school program, the recommended high school
16 program, and the advanced high school program;

17 (2) the results of the SAT, ACT, articulated
18 postsecondary degree programs described by Section 61.852, and
19 certified workforce training programs described by Chapter 311,
20 Labor Code;

21 (3) for students who have failed to perform
22 satisfactorily, under each performance standard under Section
23 39.0241, on an assessment instrument required under Section
24 39.023(a) or (c), the performance of those students on subsequent
25 assessment instruments required under those sections, aggregated
26 by grade level and subject area;

27 (4) for each campus, the number of students,

1 disaggregated by major student subpopulations, that agree under
2 Section 28.025(b) to take courses under the minimum high school
3 program;

4 (5) the percentage of students, aggregated by grade
5 level, provided accelerated instruction under Section 28.0211(c) [~~7~~
6 ~~the results of assessment instruments administered under that~~
7 ~~section, the percentage of students promoted through the grade~~
8 ~~placement committee process under Section 28.0211, the subject of~~
9 ~~the assessment instrument on which each student failed to perform~~
10 ~~satisfactorily under each performance standard under Section~~
11 ~~39.0241, and the performance of those students in the school year~~
12 ~~following that promotion on the assessment instruments required~~
13 ~~under Section 39.023]~~;

14 (6) the percentage of students of limited English
15 proficiency exempted from the administration of an assessment
16 instrument under Sections 39.027(a)(1) and (2);

17 (7) the percentage of students in a special education
18 program under Subchapter A, Chapter 29, assessed through assessment
19 instruments developed or adopted under Section 39.023(b);

20 (8) the percentage of students who satisfy the college
21 readiness measure;

22 (9) the measure of progress toward dual language
23 proficiency under Section 39.034(b), for students of limited
24 English proficiency, as defined by Section 29.052;

25 (10) the percentage of students who are not
26 educationally disadvantaged;

27 (11) the percentage of students who enroll and begin

1 instruction at an institution of higher education in the school
2 year following high school graduation; and

3 (12) the percentage of students who successfully
4 complete the first year of instruction at an institution of higher
5 education without needing a developmental education course.

6 (b) This section applies beginning with the 2013-2014
7 school year.

8 SECTION 45. (a) Effective September 1, 2014, Section
9 39.301(c), Education Code, is amended to read as follows:

10 (c) Indicators for reporting purposes must include:

11 (1) ~~[the percentage of graduating students who meet~~
12 ~~the course requirements established by State Board of Education~~
13 ~~rule for the minimum high school program, the recommended high~~
14 ~~school program, and the advanced high school program;~~

15 ~~[(2)]~~ the results of the SAT, ACT, articulated
16 postsecondary degree programs described by Section 61.852, and
17 certified workforce training programs described by Chapter 311,
18 Labor Code;

19 (2) ~~[(3)]~~ for students who have failed to perform
20 satisfactorily, under each performance standard under Section
21 39.0241, on an assessment instrument required under Section
22 39.023(a) or (c), the performance of those students on subsequent
23 assessment instruments required under those sections, aggregated
24 by grade level and subject area;

25 (3) ~~[(4) for each campus, the number of students,~~
26 ~~disaggregated by major student subpopulations, that agree under~~
27 ~~Section 28.025(b) to take courses under the minimum high school~~

1 ~~program;~~

2 ~~[(5)]~~ the percentage of students, aggregated by grade
3 level, provided accelerated instruction under Section 28.0211(c) [~~7~~
4 ~~the results of assessment instruments administered under that~~
5 ~~section, the percentage of students promoted through the grade~~
6 ~~placement committee process under Section 28.0211, the subject of~~
7 ~~the assessment instrument on which each student failed to perform~~
8 ~~satisfactorily under each performance standard under Section~~
9 ~~39.0241, and the performance of those students in the school year~~
10 ~~following that promotion on the assessment instruments required~~
11 ~~under Section 39.023];~~

12 (4) [~~(6)~~] the percentage of students of limited
13 English proficiency exempted from the administration of an
14 assessment instrument under Sections 39.027(a)(1) and (2);

15 (5) [~~(7)~~] the percentage of students in a special
16 education program under Subchapter A, Chapter 29, assessed through
17 assessment instruments developed or adopted under Section
18 39.023(b);

19 (6) [~~(8)~~] the percentage of students who satisfy the
20 college readiness measure;

21 (7) [~~(9)~~] the measure of progress toward dual language
22 proficiency under Section 39.034(b), for students of limited
23 English proficiency, as defined by Section 29.052;

24 (8) [~~(10)~~] the percentage of students who are not
25 educationally disadvantaged;

26 (9) [~~(11)~~] the percentage of students who enroll and
27 begin instruction at an institution of higher education in the

1 school year following high school graduation; and

2 (10) [~~(12)~~] the percentage of students who
3 successfully complete the first year of instruction at an
4 institution of higher education without needing a developmental
5 education course.

6 (b) This section applies beginning with the 2014-2015
7 school year.

8 SECTION 46. (a) Section 39.305(b), Education Code, is
9 amended to read as follows:

10 (b) The report card shall include the following
11 information:

12 (1) where applicable, the student achievement
13 indicators described by Section 39.053(c) and the reporting
14 indicators described by Sections 39.301(c)(1) through (3) [~~(5)~~];

15 (2) average class size by grade level and subject;

16 (3) the administrative and instructional costs per
17 student, computed in a manner consistent with Section 44.0071; and

18 (4) the district's instructional expenditures ratio
19 and instructional employees ratio computed under Section 44.0071,
20 and the statewide average of those ratios, as determined by the
21 commissioner.

22 (b) This section applies beginning with the 2014-2015
23 school year.

24 SECTION 47. (a) Sections 42.154(a) and (c), Education Code,
25 are amended to read as follows:

26 (a) For each full-time equivalent student in average daily
27 attendance in an approved career and technology education program

1 in grades eight [~~nine~~] through 12 or in career and technology
2 education programs for students with disabilities in grades seven
3 through 12, a district is entitled to:

4 (1) an annual allotment equal to the adjusted basic
5 allotment multiplied by a weight of 1.35; and

6 (2) \$50, if the student is enrolled in:

7 (A) two or more advanced career and technology
8 education classes for a total of three or more credits; or

9 (B) an advanced course as part of a tech-prep
10 program under Subchapter T, Chapter 61.

11 (c) Funds allocated under this section, other than an
12 indirect cost allotment established under State Board of Education
13 rule, must be used in providing career and technology education
14 programs in grades eight [~~nine~~] through 12 or career and technology
15 education programs for students with disabilities in grades seven
16 through 12 under Sections 29.182, 29.183, and 29.184.

17 (b) This section applies beginning with the 2013-2014
18 school year.

19 SECTION 48. (a) Section 51.3062(q-1), Education Code, is
20 amended to read as follows:

21 (q-1) A student who has completed a recommended or advanced
22 high school program as determined under Section 28.025 and
23 demonstrated the performance standard for college readiness as
24 provided by Section 39.024 in English language arts and mathematics
25 on [~~the Algebra II and English III end-of-course~~] assessment
26 instruments adopted under Section 39.023(c) is exempt from the
27 requirements of this section with respect to those content

1 areas. The commissioner of higher education by rule shall
2 establish the period for which an exemption under this subsection
3 is valid.

4 (b) This section applies beginning with the 2013-2014
5 school year.

6 SECTION 49. (a) Effective September 1, 2014, Section
7 51.3062(q-1), Education Code, is amended to read as follows:

8 (q-1) A student who has completed the foundation [~~a~~
9 ~~recommended or advanced~~] high school program as determined under
10 Section 28.025 and demonstrated the performance standard for
11 college readiness as provided by Section 39.024 in English language
12 arts and mathematics on [~~the Algebra II and English III~~
13 ~~end-of-course~~] assessment instruments adopted under Section
14 39.023(c) is exempt from the requirements of this section with
15 respect to those content areas. The commissioner of higher
16 education by rule shall establish the period for which an exemption
17 under this subsection is valid.

18 (b) This section applies beginning with the 2014-2015
19 school year.

20 SECTION 50. (a) Sections 51.803(a) and (d), Education Code,
21 are amended to read as follows:

22 (a) Subject to Subsection (a-1), each general academic
23 teaching institution shall admit an applicant for admission to the
24 institution as an undergraduate student if the applicant graduated
25 with a grade point average in the top 10 percent of the student's
26 high school graduating class in one of the two school years
27 preceding the academic year for which the applicant is applying for

1 admission and:

2 (1) the applicant graduated from a public or private
3 high school in this state accredited by a generally recognized
4 accrediting organization or from a high school operated by the
5 United States Department of Defense;

6 (2) the applicant:

7 (A) successfully completed:

8 (i) at a public high school, the curriculum
9 requirements established under Section 28.025 for the foundation
10 [~~recommended or advanced~~] high school program; or

11 (ii) at a high school to which Section
12 28.025 does not apply, a curriculum that is equivalent in content
13 and rigor to the foundation [~~recommended or advanced~~] high school
14 program; or

15 (B) satisfied ACT's College Readiness Benchmarks
16 on the ACT assessment applicable to the applicant or earned on the
17 SAT assessment a score of at least 1,500 out of 2,400 or the
18 equivalent; and

19 (3) if the applicant graduated from a high school
20 operated by the United States Department of Defense, the applicant
21 is a Texas resident under Section 54.052 or is entitled to pay
22 tuition fees at the rate provided for Texas residents under Section
23 54.241(d) [~~54.058(d)~~] for the term or semester to which admitted.

24 (d) For purposes of Subsection (c)(2), a student's official
25 transcript or diploma must, not later than the end of the student's
26 junior year, indicate[+]

27 [~~(1)~~] whether the student has satisfied or is on

1 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or
2 (ii), as applicable~~[, or~~

3 ~~[(2) if Subsection (b) applies to the student, whether~~
4 ~~the student has completed the portion of the recommended or~~
5 ~~advanced curriculum or of the curriculum equivalent in content and~~
6 ~~rigor, as applicable, that was available to the student].~~

7 (b) This section applies beginning with the 2014-2015
8 school year.

9 SECTION 51. (a) Section 51.804, Education Code, is amended
10 to read as follows:

11 Sec. 51.804. ADDITIONAL AUTOMATIC ADMISSIONS: SELECTED
12 INSTITUTIONS. For each academic year, the governing board of each
13 general academic teaching institution shall determine whether to
14 adopt an admissions policy under which an applicant to the
15 institution as a first-time freshman student, other than an
16 applicant eligible for admission under Section 51.803, shall be
17 admitted to the institution if the applicant:

18 (1) graduated from a public or private high school in
19 this state accredited by a generally recognized accrediting
20 organization with a grade point average in the top 25 percent of the
21 applicant's high school graduating class; and

22 (2) satisfies the requirements of:

23 (A) Section 51.803(a)(2)(A) or (B) ~~[51.803(b),~~
24 ~~as applicable to the student, or Section 51.803(a)(2)(B)]~~; and

25 (B) Sections 51.803(c)(2) and 51.803(d).

26 (b) This section applies beginning with the 2014-2015
27 school year.

1 SECTION 52. (a) Section 51.805(a), Education Code, is
2 amended to read as follows:

3 (a) A graduating student who does not qualify for admission
4 under Section 51.803 or 51.804 may apply to any general academic
5 teaching institution if the student satisfies the requirements of:

6 (1) Section 51.803(a)(2)(A) or (B) [~~51.803(b), as~~
7 ~~applicable to the student, or Section 51.803(a)(2)(B)~~]; and

8 (2) Sections 51.803(c)(2) and 51.803(d).

9 (b) This section applies beginning with the 2014-2015
10 school year.

11 SECTION 53. (a) Section 51.807(b), Education Code, is
12 amended to read as follows:

13 (b) The Texas Higher Education Coordinating Board, after
14 consulting with the Texas Education Agency, by rule shall establish
15 standards for determining for purposes of this subchapter:

16 (1) whether a private high school is accredited by a
17 generally recognized accrediting organization; and

18 (2) whether a person completed a high school
19 curriculum that is equivalent in content and rigor to the
20 curriculum requirements established under Section 28.025 for the
21 foundation [~~recommended or advanced~~] high school program.

22 (b) This section applies beginning with the 2014-2015
23 school year.

24 SECTION 54. (a) Subchapter A, Chapter 56, Education Code,
25 is amended by adding Section 56.009 to read as follows:

26 Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN
27 HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to

1 participate in any program under this chapter, including
2 Subchapters K, M, Q, and R, is contingent on the person graduating
3 under the recommended or advanced high school program, as those
4 programs existed before the adoption of H.B. No. _____, 83rd
5 Legislature, Regular Session, 2013, the Texas Higher Education
6 Coordinating Board and the commissioner of education shall jointly
7 adopt rules to modify, clarify, or otherwise establish for affected
8 programs appropriate eligibility requirements regarding high
9 school curriculum completion.

10 (b) This section applies beginning with the 2014-2015
11 school year.

12 SECTION 55. (a) Section 61.0517(a), Education Code, is
13 amended to read as follows:

14 (a) In this section, "applied STEM course" means an applied
15 science, technology, engineering, or mathematics course offered as
16 part of a school district's career and technology education
17 curriculum and approved[~~, as provided by Section 28.027,~~] by the
18 State Board of Education for purposes of satisfying the mathematics
19 and science curriculum requirements for the foundation
20 ~~[recommended]~~ high school program ~~[imposed]~~ under Section 28.025
21 ~~[28.025(b-1)(1)(A)]~~.

22 (b) This section applies beginning with the 2014-2015
23 school year.

24 SECTION 56. (a) Section 61.792(b), Education Code, is
25 amended to read as follows:

26 (b) To qualify for a scholarship under this section, a
27 student must:

1 (1) have graduated with a grade point average in the
2 top 20 percent of the student's high school graduating class;

3 (2) have graduated from high school with a grade point
4 average of at least 3.5 on a four-point scale or the equivalent in
5 mathematics and science courses offered under the foundation
6 [~~recommended or advanced~~] high school program under Section 28.025
7 [~~28.025(a)~~]; and

8 (3) maintain an overall grade point average of at
9 least 3.0 on a four-point scale at the general academic teaching
10 institution or the private or independent institution of higher
11 education in which the student is enrolled.

12 (b) This section applies beginning with the 2014-2015
13 school year.

14 SECTION 57. (a) Section 61.852(a), Education Code, is
15 amended to read as follows:

16 (a) A tech-prep program is a program of study that:

17 (1) combines at least two years of secondary education
18 with at least two years of postsecondary education in a
19 nonduplicative, sequential course of study based on the foundation
20 [~~recommended~~] high school program adopted by the State Board of
21 Education under Section 28.025 [~~28.025(a)~~];

22 (2) integrates academic instruction and vocational
23 and technical instruction;

24 (3) uses work-based and worksite learning where
25 available and appropriate;

26 (4) provides technical preparation in a career field
27 such as engineering technology, applied science, a mechanical,

1 industrial, or practical art or trade, agriculture, health
2 occupations, business, or applied economics;

3 (5) builds student competence in mathematics,
4 science, reading, writing, communications, economics, and
5 workplace skills through applied, contextual academics and
6 integrated instruction in a coherent sequence of courses;

7 (6) leads to an associate degree, two-year
8 postsecondary certificate, or postsecondary two-year
9 apprenticeship with provisions, to the extent applicable, for
10 students to continue toward completion of a baccalaureate degree;
11 and

12 (7) leads to placement in appropriate employment or to
13 further education.

14 (b) This section applies beginning with the 2014-2015
15 school year.

16 SECTION 58. (a) Section 61.855(d), Education Code, is
17 amended to read as follows:

18 (d) A tech-prep program must:

19 (1) be implemented under an articulation agreement
20 between the participants in the consortium;

21 (2) consist of two to four years of secondary school
22 preceding graduation and:

23 (A) two or more years of higher education; or

24 (B) two or more years of apprenticeship following
25 secondary instruction;

26 (3) have a common core of required proficiency based
27 on the foundation [~~recommended~~] high school program adopted by the

1 State Board of Education under Section 28.025 [~~28.025(a)~~], with
2 proficiencies in mathematics, science, reading, writing,
3 communications, and technologies designed to lead to an associate's
4 degree or postsecondary certificate in a specific career field;

5 (4) include the development of tech-prep program
6 curricula for both secondary and postsecondary participants in the
7 consortium that:

8 (A) meets academic standards developed by the
9 state;

10 (B) links secondary schools and two-year
11 postsecondary institutions, and, if practicable, four-year
12 institutions of higher education through nonduplicative sequences
13 of courses in career fields, including the investigation of
14 opportunities for tech-prep students to enroll concurrently in
15 secondary and postsecondary course work;

16 (C) uses, if appropriate and available,
17 work-based or worksite learning in conjunction with business and
18 all aspects of an industry; and

19 (D) uses educational technology and distance
20 learning, as appropriate, to involve each consortium participant
21 more fully in the development and operation of programs;

22 (5) include in-service training for teachers that:

23 (A) is designed to train vocational and technical
24 teachers to effectively implement tech-prep programs;

25 (B) provides for joint training for teachers in
26 the tech-prep consortium;

27 (C) is designed to ensure that teachers and

1 administrators stay current with the needs, expectations, and
2 methods of business and of all aspects of an industry;

3 (D) focuses on training postsecondary education
4 faculty in the use of contextual and applied curricula and
5 instruction; and

6 (E) provides training in the use and application
7 of technology;

8 (6) include training programs for counselors designed
9 to enable counselors to more effectively:

10 (A) provide information to students regarding
11 tech-prep programs;

12 (B) support student progress in completing
13 tech-prep programs;

14 (C) provide information on related employment
15 opportunities;

16 (D) ensure that tech-prep students are placed in
17 appropriate employment; and

18 (E) stay current with the needs, expectations,
19 and methods of business and of all aspects of an industry;

20 (7) provide equal access to the full range of
21 tech-prep programs for individuals who are members of special
22 populations, including by the development of tech-prep program
23 services appropriate to the needs of special populations; and

24 (8) provide for preparatory services that assist
25 participants in tech-prep programs.

26 (b) This section applies beginning with the 2014-2015
27 school year.

1 SECTION 59. (a) Section 61.861(c), Education Code, is
2 amended to read as follows:

3 (c) A course developed for purposes of this section must:

4 (1) provide content that enables a student to develop
5 the relevant and critical skills needed to be prepared for
6 employment or additional training in a high-demand occupation;

7 (2) incorporate college and career readiness skills as
8 part of the curriculum;

9 (3) be offered for dual credit; and

10 (4) satisfy a mathematics or science requirement under
11 the foundation [~~recommended or advanced~~] high school program as
12 determined under Section 28.025.

13 (b) This section applies beginning with the 2014-2015
14 school year.

15 SECTION 60. (a) Section 61.864, Education Code, is amended
16 to read as follows:

17 Sec. 61.864. REVIEW OF COURSES. Courses for which a grant
18 is awarded under this subchapter shall be reviewed by the
19 commissioner of higher education and the commissioner of education,
20 in consultation with the comptroller and the Texas Workforce
21 Commission, once every four years to determine whether the course:

22 (1) is being used by public educational institutions
23 in this state;

24 (2) prepares high school students with the skills
25 necessary for employment in the high-demand occupation and further
26 postsecondary study; and

27 (3) satisfies a mathematics or science requirement for

1 the foundation [~~recommended or advanced~~] high school program as
2 determined under Section 28.025.

3 (b) This section applies beginning with the 2014-2015
4 school year.

5 SECTION 61. (a) Section 78.10(b), Education Code, is
6 amended to read as follows:

7 (b) The Texas Academy of Mathematics and Science is a
8 division of The University of Texas at Brownsville and is under the
9 management and control of the board. The academy serves the
10 following purposes:

11 (1) to provide academically gifted and highly
12 motivated junior and senior high school students with a challenging
13 university-level curriculum that:

14 (A) allows students to complete high school
15 graduation requirements [~~, including requirements adopted~~] under
16 Section 28.025 for the foundation [~~advanced~~] high school program,
17 while attending for academic credit a public institution of higher
18 education;

19 (B) fosters students' knowledge of real-world
20 mathematics and science issues and applications and teaches
21 students to apply critical thinking and problem-solving skills to
22 those issues and problems;

23 (C) includes the study of English, foreign
24 languages, social studies, mathematics, science, and technology;
25 and

26 (D) offers students learning opportunities
27 related to mathematics and science through in-depth research and

1 field-based studies;

2 (2) to provide students with an awareness of
3 mathematics and science careers and professional development
4 opportunities through seminars, workshops, collaboration with
5 postsecondary and university students including opportunities for
6 summer studies, internships in foreign countries, and similar
7 methods; and

8 (3) to provide students with social development
9 activities that enrich the academic curriculum and student life,
10 including, as determined appropriate by the academy, University
11 Interscholastic League activities and other extracurricular
12 activities.

13 (b) This section applies beginning with the 2014-2015
14 school year.

15 SECTION 62. (a) Section 87.505(b), Education Code, is
16 amended to read as follows:

17 (b) The Texas Academy of International Studies is a division
18 of Texas A&M International University and is under the management
19 and control of the board. The academy serves the following
20 purposes:

21 (1) to provide academically gifted and highly
22 motivated junior and senior high school students with a challenging
23 university-level curriculum that:

24 (A) allows students to complete high school
25 graduation requirements [~~including requirements adopted~~] under
26 Section 28.025 for the foundation [~~advanced~~] high school program,
27 while attending for academic credit a public institution of higher

1 education;

2 (B) fosters students' knowledge of real-world
3 international issues and problems and teaches students to apply
4 critical thinking and problem-solving skills to those issues and
5 problems;

6 (C) includes the study of English, foreign
7 languages, social studies, anthropology, and sociology;

8 (D) is presented through an interdisciplinary
9 approach that introduces and develops issues, especially issues
10 related to international concerns, throughout the curriculum; and

11 (E) offers students learning opportunities
12 related to international issues through in-depth research and
13 field-based studies;

14 (2) to provide students with an awareness of
15 international career and professional development opportunities
16 through seminars, workshops, collaboration with postsecondary
17 students from other countries, summer academic international
18 studies internships in foreign countries, and similar methods; and

19 (3) to provide students with social development
20 activities that enrich the academic curriculum and student life,
21 including, as determined appropriate by the academy, University
22 Interscholastic League activities and other extracurricular
23 activities generally offered by public high schools.

24 (b) This section applies beginning with the 2014-2015
25 school year.

26 SECTION 63. (a) Effective September 1, 2013, the following
27 provisions of the Education Code are repealed:

- 1 (1) Sections 28.014(c), (d), and (f);
- 2 (2) Sections 28.0211(a), (a-2), (e), (g), (n), (o),
3 and (p);
- 4 (3) Sections 39.023(c-2), (c-3), (d), (g), and (o);
- 5 (4) Section 39.0231;
- 6 (5) Section 39.0232;
- 7 (6) Section 39.0233;
- 8 (7) Sections 39.024(b), (c), (d), (e), (f), (g), (h),
9 and (i);
- 10 (8) Section 39.0241(a-2);
- 11 (9) Section 39.0242;
- 12 (10) Sections 39.025(a-1), (a-2), (a-3), (b), (b-1),
13 (b-2), (c), (c-1), (d), (e), (e-1), (f), and (g);
- 14 (11) Section 39.053(d);
- 15 (12) Section 42.154(d); and
- 16 (13) Section 51.3062(q).

17 (b) Effective September 1, 2014, the following provisions
18 of the Education Code are repealed:

- 19 (1) Section 28.002(q),
- 20 (2) Sections 28.025(b-4), (b-5), (b-6), (b-8), (d),
21 and (g);
- 22 (3) Section 28.027;
- 23 (4) Section 30.104(c); and
- 24 (5) Section 51.803(b).

25 SECTION 64. To the extent of any conflict, this Act prevails
26 over another Act of the 83rd Legislature, Regular Session, 2013,
27 relating to nonsubstantive additions to and corrections in enacted

1 codes.

2 SECTION 65. Except as otherwise provided by this Act, this
3 Act takes effect immediately if it receives a vote of two-thirds of
4 all the members elected to each house, as provided by Section 39,
5 Article III, Texas Constitution. If this Act does not receive the
6 vote necessary for immediate effect, this Act takes effect
7 September 1, 2013.